

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 1:06-cr-107-MHT
)
 MICHAEL D. HARVEY)

GOVERNMENT'S MOTION FOR DETENTION HEARING

Comes now the United States of America, by and through Leura Garrett Canary,
United States Attorney for the Middle District of Alabama, and pursuant to 18 U.S.C. 3142(e)
and (f) moves for a detention hearing for the above-captioned defendant.

1. Eligibility of Cases

This case is eligible for a detention order because this case involves:

_____ Crime of violence (18 U.S.C. 3156)

___X___ Maximum sentence of life imprisonment or death

___X___ 10 + year involving a minor

_____ Felony, with two prior convictions in the above categories

___X___ Serious risk the defendant will flee/not appear

_____ Serious risk of obstruction of justice (i.e., risk of Witness intimidation)

2. Reason For Detention

The Court should detain defendant because there are no conditions of release which will reasonably assure:

 X Defendant's appearance as required

 X Safety of any other person and the community

3. Rebuttable Presumption

The United States invokes the rebuttable presumption against defendant under Section 3142(e).

4. Time For Detention Hearing

The United States requests the Court conduct the detention hearing:

_____ At the initial appearance

 X After continuance of 3 days

The Government requests leave of Court to file a supplemental motion with additional grounds or presumption for detention should this be necessary.

Respectfully submitted this the 19th day of April, 2006.

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